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SUBJECT: Taiwan: Chiropractors Face Market Access Restrictions

REF: TAIPEI 3880

¶1. This is an action request. Please see paragraph 12.

#### Summary

¶2. Summary. After years of tolerating U.S.-trained chiropractors practicing in Taiwan, officials have moved to prevent such activities. Motivated largely by resistance in Taiwan's medical community, officials have raided chiropractic offices and indicted individuals. AIT has raised the issue with Minister of Health HOU Sheng-Mou, who has agreed to open a dialogue on the issue. End Summary.

#### Don't Ask, Don't Tell

¶3. Currently Taiwan has no licensing mechanism for chiropractors. They cannot advertise (even to post a sign outside their offices) nor make claims about the efficacy of medical treatment they offer. This is more than just a theoretical problem. Local health departments have taken legal action, including raids and indictments, against several chiropractors. In April of this year the Department of Health instructed local departments of health that practitioners of non-invasive body adjustment services, which would include chiropractors, should be allowed to practice, but the "don't ask, don't tell" restrictions remain in place. This means that chiropractors cannot identify themselves as chiropractors, educate the public about their profession, or differentiate themselves from therapists.

¶4. Taiwan, like most countries, does not have any local institutions that offer chiropractic training. Most of the world's chiropractors are educated and credentialed in the U.S., where the field was developed. More than 70 countries, including Singapore, Thailand, Malaysia, and Hong Kong SAR license chiropractors based on their U.S. credentials.

#### Amcham Asks for Action

¶5. In August, Amcham issued a position paper urging Taiwan to halt administrative proceedings against licensed chiropractors and enter a dialogue on appropriate methods to permit licensed chiropractors to perform chiropractic procedures in Taiwan. Amcham forwarded a copy of this position paper to USTR.

Specifically they want chiropractors to be able to:

--identify themselves publicly as licensed chiropractic doctors,  
--advertise their services,

--import and purchase chiropractic equipment,  
--prescribe nutritional supplements,  
--order X-rays, MRIs, and other appropriate tests and procedures,  
--issue sick leave certificates,  
--be covered by private health insurance, and  
--be regulated by an appropriate semi-government body whose members are licensed chiropractors.

#### Working-level DOH Officials Not Encouraging

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¶6. AIT Econoff called on Department of Health Bureau of Medical Affairs Director Hsueh Jui-yuan, and Section Chief Chou Tao-chun to raise the issues in the Amcham paper. Dr. Hsueh was not encouraging, stating it would "take time" to change the situation in Taiwan. Like the minister, he described chiropractic as relatively new to Taiwan and that chiropractors should try to work with local medical schools to offer course work in chiropractic. He stated that licensing them in Taiwan would be difficult since there was no chiropractic program of instruction offered here. He stated that all professions in Taiwan face a constitutional requirement for coursework, practice, and a Taiwan exam. He suggested that it would not be possible to license chiropractors here without a locally administered exam.

#### LY Bill Probably Going Nowhere

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¶7. On a separate track, there has been some action in the Legislative Yuan. There is currently a draft bill that would provide some legal status to chiropractors. It does not offer all of the protections that they are seeking. Still, local physicians groups have criticized the bill because they do not recognize chiropractic as a legitimate medical profession and do not wish them to be referred to as doctors, but as something akin to "hand therapists." DOH staff also criticized the legislation. With this opposition, the bill does not seem to be going anywhere.

#### Director urges Health Minister to Hold Dialogue

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¶8. During a November 14 meeting, AIT Director Young urged Minister of Health HOU Sheng-Mou to open a dialogue between his Ministry and U.S.-trained and credentialed chiropractors. Currently chiropractors have no legal status in Taiwan and must operate quasi-legally outside the medical system. (Note: The primary focus of the meeting was the political controversy surrounding the resumption of U.S. beef imports reported reftel. End note.)

¶9. Minister HOU replied that none of the medical associations in Taiwan are in favor of adopting or recognizing US chiropractic credentials. He also feared the budgetary impact of this pool of potential practitioners trying to tap into the National Health Insurance System. The Minister recommended that chiropractors first try to build support in Taiwan with education programs in Taiwan and then work to establish their practices here.

¶10. Director Young replied that AIT viewed this issue as a market access issue in the context of our overall bilateral economic relationship. He stated USTR is also concerned about this issue. Minister HOU then agreed to hold further discussions with the US-licensed chiropractors in Taiwan to try and find a solution.

¶11. Action request: Post requests guidance from Washington agencies on appropriate next steps. In the meantime, we will continue raising the issue, in the context of market access for U.S. service providers, at high levels, including with the Minister of Economic Affairs.